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2 **UNITED STATES DISTRICT COURT**  
3 **EASTERN DISTRICT OF WASHINGTON**  
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5 MICHAEL NEWBY, )  
6 Plaintiff, )  
7 vs. )  
8 MICHAEL J. ASTRUE, )  
9 Commissioner of Social Security, )  
10 Defendant. )  
11

NO. CV-09-5084-JPH

**JUDGMENT IN A  
CIVIL CASE**

12 **DECISION BY THE COURT:**

13 This action came to hearing before the court. The issues have been heard  
14 and a decision has been rendered.

15 **IT IS ORDERED AND ADJUDGED** that:

16 Defendant's Motion for Summary Judgment is **GRANTED**; Plaintiff's  
17 Motion for Summary Judgment is **DENIED**. Judgment is entered for Defendant.

18 DATED this 16 day of March, 2011.

19 JAMES R. LARSEN  
20 District Court Executive/Clerk

21  
22 by: s/Pamela A. Howard  
23 Deputy Clerk  
24  
25

26 cc: all counsel